

California Integrated Waste Management Board

Board Meeting

March 15-16, 2005

AGENDA ITEM 16

ITEM

Consideration Of The Amended Nondisposal Facility Element For The City Of Fremont, Alameda County

I. ISSUE/PROBLEM STATEMENT

The City of Fremont (City) has amended its Nondisposal Facility Element (NDFE) by identifying and describing the Fremont Transfer Station/Materials Recovery Facility, as a new facility.

The Permits and Enforcement Division will be presenting an agenda item for the proposed permit for this facility in the future.

II. ITEM HISTORY

The Board previously approved the City's NDFE December, 1996.

III. OPTIONS FOR THE BOARD

The Board may:

1. Approve the City's amended NDFE.
2. Disapprove the City's amended NDFE.

IV. STAFF RECOMMENDATION

Board staff recommends the Board adopt option 1: Approve the City's amended NDFE.

V. ANALYSIS

A. Key Issues and Findings

1. Background

The City has amended its NDFE by adding the nondisposal facility, as noted below.

Facility type/location: The City has amended its NDFE to identify and describe the Fremont Transfer Station and Material Recovery Facility which is located in the City of Fremont at 41149 Boyce Road. The transfer station operations include accepting MSW collected from the Tri-Cities, consolidating it into long haul trailers and transporting it to the Altamont Landfill. The material recovery facility operation include accepting both recyclables and loads of MSW containing high percentages of recyclables, separating them into recyclable groupings, consolidating them for transport and transporting them to secondary materials processing facilities.

Facility capacity: The facility will be permitted to handle 2,400 tons per day. The facility is initially expected to accept approximately 1,520 tons per day. It is expected to grow to a possible 2,040 tons per day by 2020.

Anticipated diversion rate: The diversion rate, based upon seasonal high figures reflected in the Environmental Impact Report is estimated to be 31 percent. The City is contractually requiring the operator to divert 12 percent of the incoming materials. This 12 percent does not apply to materials presently being diverted through City programs such as curbside collection. Also, the operator has identified a target range of 15 to 30 percent for the overall diversion rate.

Participating jurisdictions: The facility will be sized to handle waste and recyclables from Fremont, Newark, and Union City. The facility will also accept source separated recyclables from outside the Tri-Cities (primarily within the County) and self-haul waste will be accepted from the Tri-Cities only.

2. Findings

The City has adequately addressed all requirements for amending a NDFE by submitting the information noted below:

City of Fremont	Yes	No
Local Task Force comments	x	
3-day public notice	x	
Resolution adopting amendment	x	
Amendment includes required information for facility type	x	

B. Environmental Issues

Staff is not aware of any environmental issues related to the amended NDFE.

Specific environmental issues would be addressed during the permitting process of the facilities, and thus would be discussed in any associated items presented to the Board from the Permits Division.

C. Program/Long Term Impacts

Staff does not anticipate any program or long term impacts as a result of this item.

D. Stakeholder Impacts

Approving the City's amended NDFE will facilitate any future conformance findings made by the Board as part of the permitting process, as the facilities will then be identified in the NDFE, as required.

E. Fiscal Impacts

No fiscal impact to the Board results from this item.

F. Legal Issues

This item represents the process for implementing PRC Section 41800 that describes the Board's approval process of a jurisdiction's planning elements, including the NDFE.

G. Environmental Justice

2000 Census Data – Demographics for City of Fremont						
% White	% Hispanic	% Black	% Native American	% Asian	% Pacific Islander	% Other
41.2	13.5	3.0	0.3	36.8	0.4	0.3

2000 Census Data – Economic Data for City of Fremont		
Median annual income*	Mean (average) income*	% individuals below poverty level
76,579	92,802	5.4

* Per household

- **Environmental Justice Issues.** According to the jurisdictional representative, there are no environmental justice issues in this community related to this item

- **Efforts at Environmental Justice Outreach.** To overcome language barriers, Fremont and the Alameda County Waste Management Authority, have an ongoing contract with an interpreter service. There are three designated bilingual telephone lines on the recycling hotline. One for Spanish, one for Cantonese, and one for Vietnamese.
- **Project Benefits.** Updating the City's NDFE to include descriptions of new or modified nondisposal facilities will allow City residents to have a more complete picture of the nondisposal facilities the City will be using to achieve and maintain its diversion requirements.

H. 2001 Strategic Plan

This item supports Strategic Plan goal 2, objective 3 (Support local jurisdictions' ability to reach and maintain California's waste diversion mandates), strategy (D) (Assess and assist local governments' efforts to implement programs and reduce disposal, taking corrective action as needed) by approving the City's locally adopted amended NDFE.

VI. FUNDING INFORMATION

This item does not require any Board fiscal action.

VII. ATTACHMENTS

1. Resolution Number 2005-74

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Eric Bissinger

Phone: (916)341-6266

B. Legal Staff: Elliot Block

Phone: (916)341-6080

C. Administration Staff: N/A

Phone: N/A

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

City of Fremont

B. Opposition

Staff had not received any written opposition at the time this item was submitted for publication.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-74

Consideration Of The Amended Nondisposal Facility Element For The City Of Fremont, Alameda County

WHEREAS, Public Resources Code (PRC) Sections 40900 et seq., describe the requirements to be met by Cities and Counties when developing and implementing integrated waste management plans; and

WHEREAS, PRC Sections 41730 et seq. require that each City and County prepare and adopt a Nondisposal Facility Element (NDFE) which includes a description of existing and new solid waste facilities, and the expansion of existing solid waste facilities, which will be needed to implement a jurisdiction's Source Reduction and Recycling Element (SRRE), to enable it to meet the requirements of PRC Section 41780; and

WHEREAS, the City of Fremont has amended its Board-approved NDFE to reflect additions to the described facilities and has submitted the amended NDFE to the Board; and

WHEREAS, based on review of the amended NDFE, Board staff found that all of the foregoing requirements have been satisfied and that the amended NDFE substantially complies with PRC Sections 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the amended Nondisposal Facility Element for the City of Fremont.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on March 15-16, 2005.

Dated:

Mark Leary
Executive Director